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NUMBER: EV 291397134 US

DATE OF DEPOSIT: JANUARY 15, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: MS PATENT APPLICATION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.


Shawn Smith

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket: 2027.633082/RFE

**Prior Application Serial No.:
10/130,061**

**Prior Application Examiner:
Maria Marvich**

MS PATENT APPLICATION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Prior Group Art Unit: 1636

**REQUEST FOR FILING DIVISIONAL APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a divisional application under Rule 53(b) (37 C.F.R. § 1.53(b)) of co-pending prior application Serial No. 10/130,061 filed May 15, 2002, entitled PRODUCTION OF HETEROLOGOUS PROTEINS FROM ZYGOSACCHAROMYCES BAILII, by Luca Brambilla, Bianca Maria Ranzi, Marina Vai, Lilia Alberghina, and Danilo Porro.

1. Enclosed is a copy of the prior application Serial No. 10/130,061 as originally filed, including specification, claims, drawings, and declaration. The undersigned hereby verifies that the attached papers are a true copy of the prior application as originally filed

and identified above, that no amendments (if any) referred to in the declaration filed to complete the prior application introduced new matter therein, and further that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

(a) The inventorship is the same as prior Application Serial No. 10/130,061.

2. Enclosed is a check in the amount of \$770.00 to cover the filing fee as calculated below and the fee for any new claims added in the Preliminary Amendment referred to in Clause No. 8 below.

CLAIMS AS FILED IN THE PRIOR APPLICATION
LESS CLAIMS CANCELED IN THE PRELIMINARY AMENDMENT

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee -----				\$770.00
Total Claims	8 - 20 =	0 X	\$18.00 =	\$.00
Independent Claims	2 - 3 =	0 X	\$86.00 =	\$.00
Multiple Dependent Claim(s) -----				\$.00
TOTAL FILING FEES:				\$770.00

3. If the check is missing or insufficient, the Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 to 1.21 which may be required for any reason relating to this document, or credit any overpayment to Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2027.633082RFE.

4. Enclosed are a substitute specification and a marked-up copy of the original specification, showing changes made in the substitute specification. These documents were filed in the prior application on July 17, 2003 and November 14, 2003.
5. Enclosed is a copy of the current Power of Attorney in the prior application.
6. Address all future communications to:

Raymund F. Eich, Ph.D.
WILLIAMS, MORGAN & AMERSON, P.C.
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4065
7. Enclosed is a preliminary amendment. Any additional fees incurred by this amendment are included in the check at No. 2 above and said fee has been calculated after cancellation of claims and after amendment of claims by the preliminary amendment.
7. The prior application is presently assigned to Biopolo S.C.a.R.L.
8. Return Receipt Postcard.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720



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AGENT FOR APPLICANTS

January 15, 2004